9. I responded to Mr. Weill (and his new co-counsel, Richard Nebb), via e-mail, that Plaintiffs would file a separate case management conference statement, as Plaintiffs did not wish to miss meeting a deadline set by the Court. In this e-mail, I informed Mr. Weill that Plaintiffs stand ready, however, to continue to discuss these matters and are prepared to submit a joint case management conference statement together with Defendant. A true and correct copy of this email is attached hereto as Exhibit E.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 14th day of November, 2007, in Bethesda, Maryland.

Rebecca A. Beynon

Filed 11/14/2007